



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/438,185	11/11/1999	RICHARD S STEPHENS	018941-00041	8996
20350	7590	12/08/2003	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			DUFFY, PATRICIA ANN	
		ART UNIT	PAPER NUMBER	
		1645		

DATE MAILED: 12/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT PAPER

27

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The replies filed on 9-5-03 and 11-17-03 are not fully responsive to the prior Office Action of 6-18-03 because: the amendments are still not in compliance with 37 CFR 1.121. A complete listing of all the claims and their appropriate status is required. As was discussed with Applicants representative, the amendment filed 9-5-03 was not in compliance with the new rules because it did not provide an accurate listing of all the claims. As indicated by the examiner, claims 1-10 were previously canceled in the amendment filed 3-13-02. The reply filed 11-17-03 does not correct this problem. Claim 10 is not withdrawn but canceled. Correction is required. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Patricia A. Duffy
Patricia A. Duffy
Primary Examiner
Art Unit: 1645